

#11/58/1636  
10/2/02

PATENT  
ATTORNEY DOCKET NO. 07678/062004

Certificate of Mailing: Date of Deposit: September 24, 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Elaine Fabrizio

Printed name of person mailing correspondence

Elaine Fabrizio

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zhu et al.

Art Unit: 1636

Serial No.: 09/613,486

Examiner: K. Katcheves

Filed: July 11, 2000

Customer No.: 21559

Title: GRAPEVINE LEAFROLL VIRUS (TYPE 2) PROTEINS AND THEIR  
USES

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REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE AND/OR AMINO ACID SEQUENCES

In reply to the Notice to Comply with Sequence Requirements (copy enclosed)  
included with the Office Action mailed on March 26, 2002, Applicants submit the  
following:

- ☒ An initial paper copy of the sequence listing and an amendment directing its entry into the specification.
- ☒ An initial copy of the sequence listing in computer readable form.
- ☒ A statement that the contents of the paper and computer readable copies are the

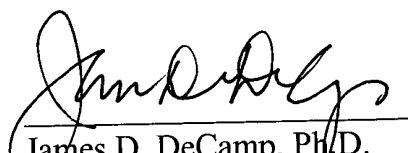
same and contain no new matter.

Enclosed is a courtesy copy of the petition to extend the period for replying for three months, to and including September 26, 2002 that was filed with the concurrently filed Reply to the Office Action dated March 26, 2002.

If there are any other charges, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: September 24, 2002

  
James D. DeCamp, Ph.D.  
Reg. No. 43,580

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045  
07678.062004 Reply to Notice to Comply to Sequence Requirement.doc



21559

PATENT TRADEMARK OFFICE



PATENT  
ATTORNEY DOCKET NO. 07678/062004

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Arlington, VA 22202

STATEMENT UNDER 37 C.F.R. §§ 1.821 - 1.825

In reply to the Notice to Comply with Sequence Requirements included with the Office Action mailed on March 26, 2002, enclosed is a Sequence Listing in accordance with the requirements of 37 C.F.R. §§ 1.821 through 1.825 and consisting of 37 pages. As is noted in the accompanying Amendment, this Sequence Listing is to be inserted at the end of the application.

As required by 37 C.F.R. § 1.821(c), each sequence in the application appears separately in the sequence listing and each sequence in the sequence listing is assigned a separate sequence identifier.

As required by 37 C.F.R. § 1.821(d), the sequence identifiers are used throughout the application description and claims to refer to their respective sequences.

As required by 37 C.F.R. § 1.821(e), enclosed is a diskette containing a copy of the sequence listing in computer readable form.

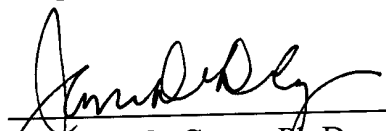
As required by 37 C.F.R. § 1.821(f), I hereby state that the contents of the computer readable form are the same as the contents of the paper copy.

As required by 37 C.F.R. § 1.821(g), I hereby state that this submission contains no new matter.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: September 24, 2002

  
James D. DeCamp, Ph.D.  
Reg. No. 43,580

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Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,486	07/11/2000	Hai-Ying Zhu	07678/062004	9740

7590  
Paul T Clark  
Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110



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JUN 03 2002

CLARK & ELBING

EXAMINER

KATCHEVES, KONSTANTINA T

ART UNIT PAPER NUMBER

1636

DATE MAILED: 05/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

ACTION DUE Notice to Comply  
DUE DATE 6-25-02  
ESP 9-25-02  
INITIALS J. M. [signature]

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/613486

ZHU



EXAMINER
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KATCHEVES

ART UNIT	PAPER
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Enclosed please find a copy of the Notice to Comply that was omitted from the Office Action mailed 25 March 2002. Should you have any other questions or concerns, please feel free to contact me at (703) 305-1999.

Konstantina Katcheves  
Examiner

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## Notice to Comply

Application No.

09/613486

Examiner

Konstantina Katcheves

Applicant(s)

Zhu et al.

Art Unit

1636

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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